

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

BRADLEY WILSON
410 Edmund Street
Aberdeen, Maryland 21001

*

*

and

*

BRANDI HOUGHTLING
410 Edmund Street
Aberdeen, Maryland 21001

*

*

Plaintiffs,

*

Civil No. _____

v.

*

CSX TRANSPORTATION, INC.
500 Water Street
Jacksonville, Florida 32202

*

*

Defendant.

*

* * * * *

NOTICE OF REMOVAL

Defendant CSX Transportation, Inc. ("CSXT"), by its undersigned counsel, hereby removes this action from the Circuit Court for Baltimore City, Maryland (the "Circuit Court") to the United States District Court for the District of Maryland.

Requirements of 28 U.S.C. § 1446

1. Plaintiffs filed this action, captioned *Bradley Wilson, et al. v. CSX Transportation, Inc.*, Case No. 24-C-22-004040 OT, in the Circuit Court on or about September 16, 2022. Accordingly, pursuant to 28 U.S.C. § 1446(c)(1), this Notice of Removal is being filed less than one year after commencement of this action.

2. A copy of the Complaint, Summons directed to CSXT, and Civil Cover Sheet are attached hereto as Exhibits A, B, and C, respectively. No other process, pleadings, or orders have been served on CSXT.

3. Plaintiffs served the Summons and Complaint on CSXT by a private process server on September 23, 2022. Thus, in accordance with 28 U.S.C. § 1446(b)(1), this Notice of Removal is being filed within 30 days after receipt by service of the Complaint, which was the initial pleading setting forth the claim for relief against CSXT upon which this action is based.

4. Attached hereto as Exhibit D is a copy of the 28 U.S.C. § 1446(d) written notice to Plaintiffs and to the Clerk of the Circuit Court, which will be filed with the Clerk of the Circuit Court.

5. Pursuant to 28 U.S.C. § 1446(b)(2)(A), there are no other defendants who must join in this Notice of Removal, as Defendant CSXT is the only defendant named in the Complaint.

Jurisdiction under 28 U.S.C. §§ 1332 and 1441

6. Removal of this lawsuit is authorized by 28 U.S.C. § 1441(a) because this Court has original jurisdiction over this civil action under 28 U.S.C. § 1332.

7. Plaintiffs, who are natural persons residing in Maryland, are citizens of Maryland. *See* Exhibit A, Caption (identifying Plaintiffs' address as 410 Edmund Street, Aberdeen, Maryland 21001).

8. CSXT is a Virginia corporation with its principal place of business in Jacksonville, Florida. CSXT, therefore, is a citizen of both Virginia and Florida.

9. Diversity of citizenship exists between Plaintiffs, who are citizens of Maryland, and CSXT, which is a citizen of Virginia and Florida.

10. The amount in controversy in this action is in excess of \$75,000, exclusive of interest and cost. *See* Exhibit A, WHEREFORE clauses.

11. This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. § 1332(a)(1) because this action is between citizens of different states, and the amount in controversy exceeds the sum of \$75,000.

Respectfully submitted,

Dated: October 24, 2022

/s/ Amy E. Askew

Amy E. Askew (Bar No. 26709)
Ryan A. Mitchell (Bar No. 29151)
Megan L. Micco (Bar No. 20936)
Kramon & Graham, P.A.
One South Street, Suite 2600
Baltimore, Maryland 21202
(410) 752-6030 telephone
(410) 539-1269 facsimile
aaskew@kg-law.com
rmitchell@kg-law.com
mmicco@kg-law.com

*Counsel for Defendant
CSX Transportation, Inc.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of October 2022, a copy of the foregoing Notice of Removal, including all exhibits thereto, was sent by first-class mail, postage prepaid, and electronic mail to:

Neil J. Bixler, Esquire
Law Office of Neil J. Bixler, P.A.
1006 S. Macon Street
Baltimore, Maryland 21224
nbixler@bixlerlaw.com

Counsel for Plaintiffs

/s/ Amy E. Askew
Amy E. Askew